

James C. SOLINSKY

Serial No. 09/658,275

Amendment Accompanying Request for Continued Examination

Remarks

Reconsideration and allowance of the subject patent application are respectfully requested.

Claims 1-38 and 40-59 stand rejected under 35 U.S.C. Section 101 because "the [claimed] output signals do not have an identified practical application." Final Office Action, page 4. While not acquiescing in this rejection, the independent claims have been amended to describe that the claimed signals are for controlling an effector or for output by a user interface. Support for this amendment can be found throughout the specification. See, e.g., page 23, line 5 to page 24, line 2; and page 40, line 16 to page 41, line 6. These claims are now believed to even more clearly specify a "practical application" and withdrawal of the Section 101 rejection is respectfully requested.

Claim 1-38 and 40-59 also stand rejected under 35 U.S.C. Section 112, first paragraph, because the claimed subject matter is allegedly not "enabled" by the specification. Applicants strongly traverse this contention.

By way of example, Figure 8 is a detailed flow chart showing an example method by which "an output response is generated (46) and drives the user and/or RW effector outputs (47)." Page 40, lines 11-12. The specification describes example user outputs as being "in the form of visual displays in graphics or text, aural as sounds or speech, and kinesthetic as vibration or thermal/electrical stimulation." Page 23, lines 15-17. The specification further describes "RW control output devices 12, such as lever arms, motors, and robotics" as being used as effectors. Page 24, lines 1-2.

The specification describes with reference to Figure 9 "[a]n example system which creates the implementation of this method of Figure 8." Page 40, line 16. The specification continues:

The user and/or RW input interface 48 is based on commercial standards and components, and interfaces to a data capture device 49 embodied as either a process or specialized board, an ASIC, or a net-list which provides the STM component 50 with input data as a stimuli. The STM utilizes a floating-point

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processor component with memory to scale the input data values to fixed point storage for use in the model synthesis process. The model synthesis occurs in the STM components 50 which execute fixed point processors and data value arithmetic operations, driven by a processor and memory. The STM controls this synthesis by using a control processor operating on the synthesis parameters and creating testing decision outcomes that are stored in memory. This control processor uses a synthesis processor code component that orchestrates the synthesis process and stores and retrieves results with a mass storage LTM device through a processor, memory, and communication device 54, with the LTM becoming as an example, a commercial RDB system 51. The results of the dynamic model synthesis and control process, based on the input stimuli 48 are outputted through a data generator device 52 which conveys output data for display for the user and/or used by the RW output effectors 53. These generic components of Figure 9 can be embodied in a system of commercial devices and components, a processor executing software with external input/output devices and mass storage devices, an ASIC device designed with components of input/output interfaces to other commercial suppliers, or as a net-list for use by other commercial suppliers which is incorporated into specific application hardware product systems. Page 40, line 17 to page 41, line 6.

In short, the subject patent application provides an enabling disclosure that clearly discloses and explains, among other things, generating output data (e.g., by data generator device 52) for display for the user and/or use by the RW effectors 53.

The final office action refers to a camera and thermometer as "effectors." Final Office Action, page 6. However, in the examples of the specification, these elements are described as RW sensor inputs (see, e.g., page 23, lines 20-23 and Figure 2). As mentioned above, the specification describes that "RW control output devices 12, such as lever arms, motors, and robotics are used as effector devices." Page 24, lines 1-2; see also Figure 2.

New claim 60 has been added. This claim finds support in the original disclosure and no new matter is added. The Examiner is invited to independently confirm that this is the case. Claim 60 is based on claim 1 and is believed to be allowable for similar reasons.

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The pending claims are believed to be allowable and favorable office action is respectfully requested. Should any issues remain, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

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